IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SECOND DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 1449 of 2005

Between:

1 M.Jagan Mohan Rao, S/o.Narasimha Rao,
R/o.Sathupally, Khammam District.
2 M.V.Satyanarayana, s/o.Narasimha Rao,
R/o.Sathupally, Khammam District.
3 M.V.Ramanamma, W/o.Narasimha Rao,
R/o.Sathupally, Khammam District.
4 M.Vanisree, W/o.Jagan Mohan Rao,
Z.P.S.S.Dornakal, Warangal District.
5 M.Padmavathi, W/o.K.Prasada Roy,
R/o.Brahmana Veedi, Madhira, Khammam District.

..... PETITIONERS

AND

1 The District Collector, Khammam, Khammam District.
2 The Superintendent of police, Khammam, Khammam District.
3 The Deputy Superintendent of police, Sattupalli, Khammam District.
4 The Circle Inspector of police, Aswaraopet, Khammam District.
5 The Sub-Inspector of police, Station House officer, Aswaraopet,

Khammam District.
6 The Mandal Revenue officer, Aswaraopet, Khammam District.
7 Modem Ranga Rao, S/o.Subbulu,
R/o.Maddikonda village, Aswaraopet Mandal, Khammam District.
8 Kursam parmesh, S/o.Vera Venkulu,
R/o.Maddikonda village, Aswaraopet Mandal, Khammam District.
9 Mendu Seetharamulu, S/o.Pottaiah,
R/o.Maddikonda village, Aswaraopet Mandal, Khammam District.
10 Modiam Ganga Raju, S/o.Mareppa,

R/o.Maddikonda village, Aswaraopet Mandal, Khammam District.

11 Mechu Kotesh, S/o.Dharmaiah,
R/o.Maddikonda village, Aswaraopet Mandal, Khammam District.

12 Mechu Ramesh, S/o.Dharmaiah,
R/o.Maddikonda village, Aswaraopet Mandal, Khammam District.

13 Thati Ramakrishna, S/o.Seetharamulu,
R/o.Maddikonda village, Aswaraopet Mandal, Khammam District.

14 Vaggela Muthamma, W/o.Gopaiah,
R/o.Maddikonda village, Aswaraopet Mandal, Khammam District.

15 Thati Rajamma, W/o.Sriramulu,
R/o.Maddikonda village, Aswaraopet Mandal, Khammam District.

16 Modiam Neelamma, W/o.Venaktesh,
R/o.Maddikonda village, Aswaraopet Mandal, Khammam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order, direction especially one in the nature of writ of Mandamus declaring the action of the respondents No.1 to 6 in not providing the necessary protection and help to the petitioners and other similarly situated persons is illegal and further declare that the petitioners are entitled for protection and help from Respondents No.1 to 6 for the purpose of protecting crops raised by them in their lands as mentioned below situated at Maddikonda village, Aswaraopet Mandal, Khammam District.

Counsel for the Petitioner:MR.M.SURENDER RAO

Counsel for the Respondents No.1 to 6: GP FOR HOME

The Court at the stage of admission made the following ORDER:

Petitioners claim to be the owners of agricultural lands in various survey numbers of Maddikondur village, Aswaraopet mandal, Khammam district. They complain that respondents 7 to 16 claiming to be the tribal in the area are interfering with their possession and enjoyment over the land and are preventing them from cultivating the land and harvesting the crop. They allege that though they submitted complaint to the fifth respondent in this regard, no action has been taken thereon.

Heard learned counsel for the petitioners and learned Government Pleader for Home.

Learned Government Pleader for Home, on instructions, submits that on receiving the complaint from the petitioners, the fifth respondent has taken all possible measures to prevent any interference or commission of unlawful activities.

The complaint submitted by the petitioners needs to be attended to by the fifth respondent. It is the obligation of the State to accord necessary protection to enable the citizens to enjoy their rights. If there exists any dispute as to the title or possession, the parties concerned can be required to resolve their disputes before the civil Courts. However, indiscriminate interference without claiming any rival right cannot be permitted.

For the foregoing reasons, the writ petition is disposed of directing the fifth respondent to take necessary steps in the matter of according protection to the petitioners to enjoy their rights over the land. No order as to costs.

02.02.2005

ksld

To

1 The District Collector, Khammam, Khammam District.
2 The Superintendent of police, Khammam, Khammam District.
3 The Deputy Superintendent of police, Sattupalli, Khammam District.
4 The Circle Inspector of police, Aswaraopet, Khammam District.
5 The Sub-Inspector of police, Station House officer, Aswaraopet,

Khammam District.
6 The Mandal Revenue officer, Aswaraopet, Khammam District.
7 Two CCs. to the G.P. for Home, High Court of A.P., Hyderabad

(OUT).

8 Two CD copies.